UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/779,390	02/07/2001	Daniel E. Ford	10007261-1	5498

7590 02/08/2006

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER	
WANG, LIANG CHE A	

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/779,390	FORD ET AL.	
	Examiner	Art Unit	
	Liang-che Alex Wang	2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *18 November 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) _____ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 are presented for examination.

The New Grounds of Rejection

2. Applicant's amendment and argument with respect to claims 1-21, filed on 11/18/2005 have been fully considered but they are deemed to be moot in views of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

4. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsumi et al., US Patent Number 6,693,896, hereinafter Utsumi, in views of Boyles et al., US Patent Number 5,511,208.

5. Referring to claim 1, Utsumi teaches in a distributed computer networked system (figure 1, Col 6 lines 28-42) having at least one service consumer (item 11, client terminal corresponds to service consumer) and at least one service provider (item 32-1, Col 7 lines 14-19), a method for locating a remote software component (Col 9 lines 51-57 each program corresponds to a remote software component) comprising:

a. generating a request for identification of a component (Col 9 lines 51-57, when a service client selects a program is generating a request for identification of a component) having at least one specified attribute (Figure 5, Col 9 lines 6-33, resource reservation parameters corresponds to specified attributes; Col 11 lines 24-45);

b. broadcasting the request across the network (Col 18, lines 2-5, Col 18 lines 33-39, Col 11 lines 51-54, Col 21 lines 19-37, the request is issued from the client by a multicast application to be transferred to the service provider which is capable of providing a specified servers among the service providers);

c. receiving the request at a service provider (Col 11 lines 51-54, Col 12 lines 6-7, Col 15 lines 40-43);

d. comparing the at least one specified attribute of the received request with component attributes of the service provider (Col 17 lines 26-28, resource reservation is made when a service matches the request, "matching" corresponds to "comparing"; Col 9 lines 6-33, 51-57 shows the request is a request with specified attributes);

e. communicating a response to the requesting service consumer (Col 16 lines 7-9, a message transmitted to the client corresponds to a response to the requesting service consumer; Col 12 lines 56-70).

Utsumi does not teach wherein the response indicates a location of the requested component associated with the service provider.

However, Boyles teaches a reply identifying a resource location and wherein the resource corresponds to the requested component associated with the service provider (Boyles, Col 7 line 64 – Col 8 line 5; figure 4D).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the reply of Boyles in Utsumi such that to have the response indicating a location of the requested component associated with the service provider because both Utsumi and Boyles teach inventions regarding client devices requesting resources from servers.

A person with ordinary skill in the art would have been motivated to make the modification to Utsumi because having the response indicating a location of the requested component would permit a target resource in a computer network to be dynamically located as taught by Boyles (Col 2 lines 50-54).

6. Referring to claim 2, Utsumi as modified teaches the method as defined in claim 1, wherein software component is selected from the group consisting of: a service (figure 5), a resource (Col 1 lines 8-12), an interface (figure 3), and a program segment (Figure 5) (service providers are programs that provide interfaces, components or resources to other programs.)

7. Referring to claim 3, Utsumi as modified teaches the method as defined in claim 1, wherein the step of generating a request including formulating a service descriptor, the service descriptor being an object that specifies the at least one specified attribute (Col 17 lines 25-36, selecting the desired channel is formulating the service descriptor.)

8. Referring to claim 4, Utsumi as modified teaches the method as defined in claim 1, wherein the step of broadcasting the request utilizes a multicast protocol for broadcasting the request across the network (Col 18 lines 33-39, Col 11 lines 51-54, Col 21 lines 19-37.)

9. Referring to claim 5, Utsumi as modified teaches the method as defined in claim 1, wherein the network is a local area network (figure 1.)

10. Referring to claim 6, Utsumi as modified has further taught wherein the network is a wide area network (figure 1)

11. Referring to claim 7, Utsumi as modified teaches the method as defined in claim 1, wherein the step of communicating a response utilizing a unicast protocol (Col 18 lines 1-5).

12. Referring to claim 8, Utsumi as modified teaches the method as defined in claim 1, further includes the step of formulating the response by the service provider, which response includes an identification of a network location of the service provider (Col 12 lines 56-70; service data received from video server corresponds to a response by the service provider, and figure 5 shows all the identification of a network location of the service provider).

13. Referring to claim 9, Utsumi as modified teaches the method as defined in claim 8, further includes the step of directly requesting the component from the service provider by the service consumer, in response to the response received by the service consumer (Col 9 lines 51-57.)

14. Referring to claim 10, Utsumi as modified teaches the method as defined in claim 8, wherein the step of formulating a response further includes associating with a response code for interfacing with the requested component, without requiring a driver to be separated installed on the service consumer (Col 12 lines 56-70; service data received from video server corresponds to a response by the service provider, and the audio and video data transmitted back to the client are the requested components.)

15. Referring to claim 11, Utsumi as modified teaches the steps described above could be performed by computer program for executing processing as described in his invention (Col 24 lines 35-66), and Java code is one of the well-known computer program code.

16. Referring to claims 12-15, 17, claims 12-15, 17 encompass the same scope of the invention as that of the claims 1, 4, 8-10. Therefore, claims 12-15, 17 are rejected for the same reason as the claims 1, 4, 8-10.

17. Referring to claim 18, Utsumi as modified has further taught wherein the means for generating a request includes a service finder (Col 1 line 66- Col 2 line 26, selecting a channel is viewed as finding a service.)

18. Referring to claim 19, Utsumi as modified has further taught means for consolidating response and providing the consolidated response to the service consumer (figure 5)

19. Referring to claim 20, claim 20 encompasses the same scope of the invention as that of the claim 1. Therefore, claim 20 is rejected for the same reason as the claim 1.

20. Referring to claim 21, Utsumi has taught in a distributed computer networked system (figure 1) having at least one service consumer (item 11) and at least one service provider (item 32-1), a method for locating a remote software component comprising:

a. generating a request for an identification of a component having at least one specified attribute (Col 9 lines 51-57, when a service client selects a program is generating a request for identification of a component)

b. broadcasting the request across the network (Col 18, lines 2-5, Col 18 lines 33-39, Col 11 lines 51-54, Col 21 lines 19-37, the request is issued from the client by a multicast application to be transferred to the service provider which is capable of providing a specified servers among the service providers);

c. receiving the request at each of a plurality of service providers on the network (Figure 1, video server 32-1 ~ 32-N, Col 18lines 40-45, figure 8);

d. comparing the at each of the plurality of service providers, the at least one specified attribute of the received request with component attributes of the service provider to identify a matching component (Col 17 lines 26-28, resource is identified to make resource reservation.);

e. communicating, from each of the plurality of service provider, a response to the requesting service consumer (Col 16 lines 7-9, a message transmitted to the client corresponds to a response to the requesting service consumer; Col 12 lines 56-70).

Utsumi does not teach wherein the response indicates a location of the requested component associated with the service provider.

However, Boyles teaches a reply identifying a resource location and wherein the resource corresponds to the requested component associated with the service provider (Boyles, Col 7 line 64 – Col 8 line 5; figure 4D).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the reply of Boyles in Utsumi such that to have the response indicating a location of the requested component associated with the service provider because both Utsumi and Boyles teach inventions regarding client devices requesting resources from servers.

A person with ordinary skill in the art would have been motivated to make the modification to Utsumi because having the response indicating a location of the requested component would permit a target resource in a computer network to be dynamically located as taught by Boyles (Col 2 lines 50-54).

21. Referring to claim 11, Utsumi as modified teaches the method as defined in claim 10.

Utsumi does not teach the response code is Java code.

Official Notice is taken that Java is a common programming language that programmers use to implement many software modules.

At the time of the invention, it would have been obvious of ordinary skill in the art to utilizing the JAVA coding language to implement the functionalities in claim 10.

The suggestion/motivation would have been that Utsumi indicates the usage of software module which implement the control section, and any person of ordinary skill in the art can choose utilizing the JAVA language due to the simplicity and advance functionalities the JAVA offers compares to any other programming language to save time and resources.

22. Referring to claim 16, claim 16 encompass the same scope of the invention as that of the claim 11. Therefore, claim 16 is rejected for the same reason as the claim 11.

Conclusion

23. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

24. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Liang-che Alex Wang whose telephone number is (571)272-3992. The examiner can normally be reached on Monday thru Friday, 8:30 am to 5:00 pm.

26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571)272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

27. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Liang-che Alex Wang
February 6, 2006

SALEH NAJJAR
SUPERVISORY PATENT EXAMINER